

SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SECOND GENERAL ASSEMBLY

10TH LEGISLATIVE DAY

THURSDAY, MARCH 1, 2001

10:00 O'CLOCK A.M.

No. 10
[Mar. 1, 2001]

The Senate met pursuant to adjournment.
 Honorable James "Pate" Philip, Wood Dale, Illinois, presiding.
 Prayer by Pastor Rick Wenneborg, Chatham Christian Church,
 Chatham, Illinois.

Senator Radogno led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, February 21, 2001, was being read when on motion of Senator Myers further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Thursday, February 22, 2001, was being read when on motion of Senator Myers further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Tuesday, February 27, 2001, was being read when on motion of Senator Myers further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

Senator Myers moved that reading and approval of the Journal of Wednesday, February 28, 2001 be postponed pending arrival of the printed Journal.

The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

The Annual Report on School Breakfast Incentives submitted by the Illinois State Board of Education in compliance with Public Act 91-0843 (105 ILCS 125/4).

A report on a flexible work schedule submitted by the Department of Insurance in compliance with Public Act 87-552.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

EXCUSED FROM ATTENDANCE

Senator Maitland was excused from attendance due to illness.

COMMUNICATIONS

The following is a Communication from Secretary of State Jesse White along with a veto message from Governor George H. Ryan, regarding Senate Bill No. 1397 of the 91st General Assembly.

OFFICE OF THE SECRETARY OF STATE
 JESSE WHITE - Secretary of State

February 28, 2001

[Mar. 1, 2001]

To the Honorable President of the Senate:

Sir:

In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate Bill, from the 91st General Assembly as vetoed by the Governor together with his objections.

SENATE BILL

1397

Respectfully,

JESSE WHITE
Secretary of State

State of Illinois
OFFICE OF THE GOVERNOR
Springfield, Illinois 62706

George H. Ryan
GOVERNOR

February 23, 2001

To the Honorable Members of
The Illinois Senate
91st General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto and return Senate Bill 1397 entitled "AN ACT concerning industrial hemp."

Senate Bill 1397 would amend the University of Illinois Act, the Southern Illinois University Management Act, the Cannabis Control Act, and the Cannabis and Controlled Substances Tort Claims Act. It would require the University of Illinois and Southern Illinois University to study the feasibility and desirability of industrial hemp production in this State subject to an appropriation for that purpose. Senate Bill 1397 requires these universities to obtain all federal and state permits needed to legally grow industrial hemp for fiber or seed production before importing any non-sterilized industrial hemp seeds capable of germination into the State. The bill further requires these universities to report their findings and recommendations to the General Assembly by January 1, 2002.

As Governor, I have always tried to support our State's largest industry, agriculture, and I have gone to great lengths to open up new and viable markets for our Illinois' many agricultural products. However, I have several concerns regarding the specific provisions of Senate Bill 1397 that must be addressed before I would consider a bill to allow even the study of industrial hemp in the State of Illinois.

First, while the versatility of hemp offers some potential for future markets to be developed, the current market for hemp products is not substantial enough to warrant the expenditure of nearly \$1,000,000 in taxpayers' money for this study. In Hawaii, the only state to actually plant a test plot, the law allowed only privately funded industrial hemp research to be conducted. Of the sixteen states that have considered some type of legislation relating to industrial hemp, only New Mexico has appropriated any state money

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whatsoever for such a study -- \$50,000. If there is indeed great interest in developing a viable market for hemp products, private funds for such a study should be available.

Secondly, I am concerned that the proposed study would not require researchers to strive to develop a hemp plant that is free of the drug THC. I will not ignore the unified concern of drug treatment and prevention groups that the ultimate commercial cultivation and availability of a product that contains a mind-altering substance would leave open the prospect of substance abuse. This would send a mixed message to the youth of our State at a time when marijuana use has doubled in our rural areas over the past eight years alone.

Finally, Senate Bill 1397 does not include a requirement to study the impact of industrial hemp production on law enforcement, particularly the impact on the State crime lab system, that is already overburdened and backlogged. Conducting a study regarding the "desirability and feasibility" of producing hemp without reviewing the potential impact on law enforcement ultimately could lead to a weakening of our State and national efforts to effectively enforce drug laws.

For these reasons, I hereby veto and return Senate bill 1397.

Sincerely,
George H. Ryan
GOVERNOR

REPORTS FROM STANDING COMMITTEES

Senator Lauzen, Chairperson of the Committee on Commerce and Industry to which was referred Senate Bills numbered 62, 252 and 281 reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Klemm, Chairperson of the Committee on Executive to which was referred Senate Bill No. 174 reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Klemm, Chairperson of the Committee on Executive, to which was referred Senate Resolution No. 41 reported the same back with the recommendation that the resolution be adopted.

Under the rules, Senate Resolution 41 was placed on the Secretary's Desk.

Senator O'Malley, Chairperson of the Committee on Financial Institutions to which was referred Senate Bill No. 368 reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator Burzynski, Chairperson of the Committee on Licensed Activities to which was referred Senate Bill No. 285 reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Burzynski, Chairperson of the Committee on Licensed Activities to which was referred Senate Bills numbered 129 and 289 reported the same back with amendments having been adopted thereto,

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with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Peterson, Chairperson of the Committee on Revenue to which was referred Senate Bills numbered 231, 298 and 305 reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Peterson, Chairperson of the Committee on Revenue to which was referred Senate Bill No. 164 reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

At the hour of 10:15 o'clock a.m., Senator Dudycz presiding.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 154

A bill for AN ACT concerning scholarships.

HOUSE BILL NO. 208

A bill for AN ACT in regard to vehicles.

HOUSE BILL NO. 293

A bill for AN ACT in regard to vehicles.

HOUSE BILL NO. 313

A bill for AN ACT concerning health care facilities.

HOUSE BILL NO. 449

A bill for AN ACT with regard to schools.

Passed the House, February 28, 2001.

ANTHONY D. ROSSI, Clerk of the House

The foregoing House Bills numbered 154, 208, 293, 313 and 449 were taken up, ordered printed and placed on first reading.

SENATE BILL TABLED

Senator Parker moved that Senate Bill No. 23, which was referred to the Committee on Transportation, be ordered to lie on the table. The motion to table prevailed.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 65

Offered by Senator Sullivan and all Senators:
Mourns the death of Anelise Adams.

SENATE RESOLUTION NO. 66

Offered by Senator Sullivan and all Senators:
Mourns the death of Bradley Silchuck.

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SENATE RESOLUTION NO. 67

Offered by Senator Myers and all Senators:

Mourns the death of Dr. Mack W. Hollowell of Charleston.

The foregoing resolutions were referred to the Resolutions Consent Calendar.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES
A FIRST TIME

House Bill No. 293, sponsored by Senators Geo-Karis - Peterson was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 447, sponsored by Senator Ronen was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 449, sponsored by Senator Petka was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 469, sponsored by Senator Dudycz was taken up, read by title a first time and referred to the Committee on Rules.

REPORTS FROM RULES COMMITTEE

Senator Weaver, Chairperson of the Committee on Rules, reported that the Committee recommends that Senate Bill No. 721 be re-referred from the Committee on Licensed Activities to the Committee on Rules.

Senator Weaver, Chairperson of the Committee on Rules, during its March 1, 2001 meeting, reported the following Senate Bill has been assigned to the indicated Standing Committee of the Senate:

Judiciary: Senate Bill No. 721.

Senator Weaver, Chairperson of the Committee on Rules, during its March 1, 2001 meeting, reported the following Senate Resolution has been assigned to the indicated Standing Committee of the Senate:

Executive: Senate Resolution No. 40.

EXCUSED FROM ATTENDANCE

On motion of Senator Weaver, Senator R. Madigan was excused from attendance due to legislative business.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Lauzen, Senate Bill No. 19 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator del Valle, Senate Bill No. 107 having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator del Valle, Senate Bill No. 109 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Donahue, Senate Bill No. 149 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Parker, Senate Bill No. 275 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, Senate Bill No. 325 having been printed, was taken up, read by title a second time and ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Bowles, Senate Bill No. 8, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 40; Nays 12.

The following voted in the affirmative:

Bowles
Clayborne
del Valle
Demuzio
Dillard
Dudycz
Geo-Karis
Halvorson
Hendon
Jacobs
Jones, E.
Karpel
Klemm
Lightford
Link
Luechtefeld
Madigan, L.
Mahar
Molaro
Munoz
Myers
Obama
O'Daniel
Peterson
Radogno
Ronen
Roskam
Shadid
Shaw
Sieben
Silverstein
Trotter
Viverito

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Walsh, L.
Walsh, T.
Watson
Weaver
Welch
Woolard
Mr. President

The following voted in the negative:

Bomke
Burzynski
Cronin
Hawkinson
Lauzen
Noland
O'Malley
Parker
Petka
Rauschenberger
Sullivan
Syverson

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Shadid, **Senate Bill No. 12**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 51; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Clayborne
Cronin
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Karpiel
Klemm
Lauzen
Lightford
Link
Luechtefeld
Madigan, L.
Mahar

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Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Ronen
 Roskam
 Shadid
 Shaw
 Sieben
 Silverstein
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Silverstein, Senate Bill No. 37, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 51; Nays None.

The following voted in the affirmative:

Bomke
 Bowles
 Burzynski
 Clayborne
 Cronin
 del Valle
 Demuzio
 Dillard
 Donahue
 Dudycz
 Geo-Karis
 Halvorson
 Hawkinson
 Hendon
 Jacobs
 Jones, E.
 Karpel

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Klemm
 Lauzen
 Lightford
 Link
 Madigan, L.
 Mahar
 Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Ronen
 Roskam
 Shadid
 Shaw
 Sieben
 Silverstein
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Peterson, Senate Bill No. 95, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 53; Nays None.

The following voted in the affirmative:

Bomke
 Bowles
 Burzynski
 Clayborne
 Cronin
 del Valle
 Demuzio
 Dillard
 Donahue
 Dudycz
 Geo-Karis

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Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Karpel
Klemm
Lauzen
Lightford
Link
Luechtefeld
Madigan, L.
Mahar
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Ronen
Roskam
Shadid
Shaw
Sieben
Silverstein
Sullivan
Syverson
Trotter
Viverito
Walsh, L.
Walsh, T.
Watson
Weaver
Welch
Woolard
Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

READING BILL OF THE SENATE A SECOND TIME

On motion of Senator Rauschenberger, Senate Bill No. 758 having been printed, was taken up, read by title a second time and ordered to a third reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

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House Bill No. 155, sponsored by Senator Burzynski was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 196, sponsored by Senator Klemm was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 205, sponsored by Senator Burzynski was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 476, sponsored by Senator Klemm was taken up, read by title a first time and referred to the Committee on Rules.

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 46

Offered by Senator O'Malley and all Senators:
Mourns the death of Robert J. Bobb of Palos Park.

SENATE RESOLUTION NO. 47

Offered by Senator Halvorson and all Senators:
Mourns the death of Edward W. Palmer of University Park.

SENATE RESOLUTION NO. 48

Offered by Senator Lightford and all Senators:
Mourns the death of Mattie McCou Hoskins of Maywood.

SENATE RESOLUTION NO. 49

Offered by Senator Lauzen and all Senators:
Mourns the death of James W. Reuland of Roswell, Georgia.

SENATE RESOLUTION NO. 50

Offered by Senator Smith and all Senators:
Mourns the death of Pearl B. Washington of Chicago.

SENATE RESOLUTION NO. 61

Offered by Senator Lauzen and all Senators:
Mourns the death of David A. Pittinger, Sr. of Woodridge.

SENATE RESOLUTION NO. 62

Offered by Senator Peterson - Geo-Karis - Klemm and all Senators:
Mourns the death of David Lee Litwiler, Sr. of Long Lake.

SENATE RESOLUTION NO. 65

Offered by Senator Sullivan and all Senators:
Mourns the death of Anelise Adams.

SENATE RESOLUTION NO. 66

Offered by Senator Sullivan and all Senators:
Mourns the death of Bradley Silchuck.

SENATE RESOLUTION NO. 67

Offered by Senator Myers and all Senators:
Mourns the death of Dr. Mack W. Hollowell of Charleston.

Senator Dudycz moved the adoption of the foregoing resolution.
The motion prevailed.
And the resolution was adopted.

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PRESENTATION OF RESOLUTION

Senator Weaver offered the following Senate Joint Resolution and, having asked and obtained unanimous consent to suspend the rules for its immediate consideration, moved its adoption:

SENATE JOINT RESOLUTION NO. 15

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, March 1, 2001, the Senate stands adjourned until Tuesday, March 6, 2001, at 1:00 o'clock p.m.; and the House of Representatives stands adjourned until Monday, March 5, 2001, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, March 6, 2001, at 12:00 o'clock noon.

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

LEGISLATIVE MEASURE FILED

The following floor amendment to the Senate Bill listed below has been filed with the Secretary, and referred to the Committee on Rules:

Senate Amendment No. 1 to Senate Bill 187

At the hour of 10:59 o'clock a.m., on motion of Senator Weaver, and pursuant to Senate Joint Resolution No. 15, the Senate stood adjourned until Tuesday, March 6, 2001 at 1:00 o'clock p.m.

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